

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

§ C.A. NO. 05 11108 DPW  
**Acushnet Company, a Delaware**  
**Corporation,**  
§  
§ Plaintiff,  
§  
§ v.  
§  
**City Sports, Inc., a Massachusetts**  
**corporation, John and Jane Does 1-100**  
**and XYZ Corporations 1-100,**  
§  
§ Defendants.

The named parties to this action, Acushnet Company and City Sports, Inc. have  
**STIPULATED** and **AGREED** to the dismissal with prejudice of this action pursuant to  
FED. R. CIV. P. 41 (a) (1) (ii) with each party bearing its own fees and costs, and all rights  
of appeal waived.

**STIPULATED AND AGREED:**

City Sports, Inc.

By its attorneys,



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Acushnet Company

By its attorneys,



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(Application for admission Pro Hac Vice pending)

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(Application for admission Pro Hac Vice pending)

DATED this 28<sup>th</sup> day of December, 2005.